

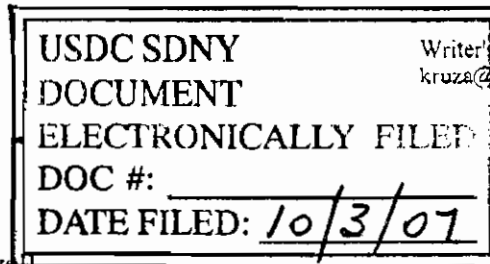


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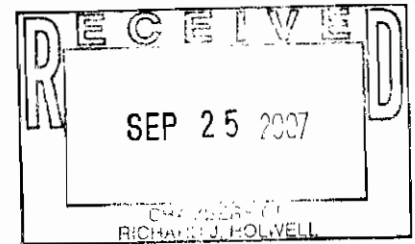
September 24, 2007

VIA FACSIMILE

Honorable Richard J. Holwell
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1950
New York, New York 10007-1312



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Re: *Nextec Applications, Inc. v. Brookwood Companies, Inc.*,
07 Civ. 6901 (RJH) (S.D.N.Y.)

Dear Judge Holwell:

We represent plaintiff Nextec Applications, Inc. ("Nextec") in the above-captioned action. We are writing to request clarification regarding the Court's Initial Scheduling Conference Notice and Order dated September 7, 2007 (the "Order"). The Order states that the parties' proposed Joint Scheduling Order shall be submitted "within fourteen (14) days from the date hereof", which would make the deadline September 21, 2007; however the Order was not posted via ECF until September 18, 2007, leaving the parties insufficient time to meet and confer regarding the Scheduling Order requirements set forth in the Order. Therefore, on consent of all counsel we respectfully request that deadline for the parties to submit a proposed Joint Scheduling Order be set for October 3, 2007, two weeks after the Order was posted on ECF. The parties have already contacted each other regarding scheduling a Rule 26(f) conference, and hope to reach a mutually agreeable proposed Scheduling Order by the deadline.

Thank you for your attention and consideration.

SO ORDERED

[Signature]
USDC

Respectfully

[Signature]
Kesari Ruza

rd/2/07

for SHEPPARD MULLIN RICHTER & HAMPTON LLP

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cc: Amy S. Manning, Esq., Alston & Bird LLP (via Facsimile (212) 210-9444)
Harry Laxton, Jr., Hunton & Williams LLP (via Facsimile (804) 343-4507)